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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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11 JAMES D. MACIEL,

No. CIV-S-02-2675 MCE/PAN P

12 Plaintiff,

13 v.

ORDER

14 TOM PREBULA, ET AL.,

15 Defendants.
16 _____/

17 Plaintiff, a state prisoner proceeding pro se, has filed
18 this civil rights action seeking relief under 42 U.S.C. § 1983.
19 The matter was referred to a United States Magistrate Judge
20 pursuant to 28 U.S.C. § 636(b)(1)(B) and Local General Order No.
21 262.

22 On April 12, 2005, the magistrate judge filed findings and
23 recommendations herein which were served on all parties and which
24 contained notice to all parties that any objections to the
25 findings and recommendations were to be filed within twenty days.

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1 Neither party has filed objections to the findings and
2 recommendations.

3 The court has reviewed the file and finds the findings and
4 recommendations to be supported by the record and by the
5 magistrate judge's analysis. Accordingly, IT IS HEREBY ORDERED
6 that:

7 1. The findings and recommendations filed April 12, 2005,
8 are adopted in full.

9 2. Claims against defendants Murphy and Norman are dismissed
10 for failure to state a claim.

11 Date: September 1, 2005

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15 MORRISON C. ENGLAND, JR.
16 UNITED STATES DISTRICT JUDGE
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